

From: Bruce Lewis
To: Microsoft ATR
Date: 11/18/01 12:24pm
Subject: Settlement

Gentlemen;

The recently announced settlement with Microsoft, Inc. in the case "US Vs Microsoft, Inc." under U.S. antitrust law is, for the most part, unacceptable.

It is my opinion that this settlement amounts to near approval of Microsoft's anti-competitive actions of the past. This settlement not only lets Microsoft off with a token "slap on the wrist" for its past misdeeds, including ignoring previous agreements with DoJ, it also leaves Microsoft wholly intact to pursue other avenues in its attempt to not just compete but completely destroy companies it views as potential "threats" to its hegemony.

A structural solution is the only one that would preclude future violations of anti-trust law by Microsoft. But this avenue appears to be anathema to the DoJ under President Bush. Only a structural solution can prevent Microsoft from uses its OS leverage with computer manufacturers in stifling competition. Yes, this might reduce the value of Microsoft stock. So what? Microsoft's stock value is as high as it is BECAUSE of its anti-competitive practices. A reduction in its stock price due to a structural solution to this case would be a just penalty to the company and its owners.

Please reconsider the current remedy as proposed. It has no teeth and given Microsoft's historical lack of compliance with DoJ settlements a structural separation of the OS, application and languages divisions is the only course of action that will preclude this type of recidivism on Microsoft's part.

Thank you for your consideration of my amicus curae.

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